IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

MELINDA SCOTT,)
Plaintiff,) Case No. 2:18CV00012
v.	ORDER
VIRGINIA DEPARTMENT OF MEDICAL ASSISTANCE SERVICES,) By: James P. Jones) United States District Judge
Defendant.)

The pro se plaintiff has filed a Motion for Default Judgment. However, she has not submitted evidence that the defendant has waived service. The defendant is not required to waive service under Federal Rule of Civil Procedure 4(d). Mere mailing to a defendant, if the defendant does not waive service by return of the signed form described in Rule 4(d), is insufficient. If the defendant has not waived service, the plaintiff must submit proof of actual physical service on the defendant of the Complaint and Summons in the manner required by law.

Accordingly, it is **ORDERED** that the Motion for Default Judgment (ECF No. 8) is DENIED.

ENTER: June 29, 2018

/s/ James P. Jones
United States District Judge